

Ordinance No. 2017-17

AN ORDINANCE APPROVING THE 1003 WOODSIDE AVENUE PLAT AMENDMENT LOCATED AT 1003 WOODSIDE AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 1003 Woodside Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on March 4, 2017, the property was properly noticed and posted in the Park Record; and

WHEREAS, on March 2, 2017, proper legal notice was sent to all affected property owners and the property was posted according the requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on March 22, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 22, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 13, 2017 the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 1003 Woodside Avenue Plat Amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The 1003 Woodside Avenue Plat Amendment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1003 Woodside Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of Lot 1 and Lot 2, Block 9 of Snyders Addition to Park City. The proposed plat amendment creates one (1) lot of record.
4. The Plat Amendment removes one (1) lot line going through the existing structure.
5. The proposed Plat Amendment combines the property into one (1) lot measuring 3,750 square feet.
6. A single-family dwelling is an allowed use in the District.
7. The minimum lot area for a single-family dwelling is 1,875 square feet. The proposed lots meet the minimum lot area for single-family dwellings as well as for a duplex which is a conditional use in the HR-1 District.

8. The proposed lot width is width is 50 feet along Woodside Avenue.
9. The minimum lot width required is twenty-five feet (25'). The proposed lot meets the minimum lot width requirement.
10. The maximum building footprint allowed based on proposed lot size of 3,750 square feet is 1,519 square feet. The existing house equates to a footprint of approximately 880 square feet.
11. The minimum front/rear yard setbacks are ten feet (10'); the minimum total front/rear yard setbacks are twenty feet (20'). The existing house has a front yard setback of 23 feet and a 15 foot rear yard setback.
12. The minimum side yard setbacks are five feet (5'). The existing structure does not meet the north side yard setback. The structure does not comply. Because no evidence has been found on past building permits, the structure has not been deemed legal non-complying. However, the plat amendment will not affect the noncompliance. The south side yard setback is met utilizing 9 feet to the property line.
13. The plat amendment will not affect the noncompliance.
14. There is a stone retaining wall along the northwest front property line that encroaches into the City Right of Way. There are also stone retaining walls, railroad ties and a slat wood fence along the south side yard property line encroaching into the City Right of Way.
15. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.
16. The existing house was built in 1967.

Conclusions of Law:

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A ten foot (10') wide public snow storage easement along the front (Woodside Avenue) as well as a five foot (5') public snow storage easement along the side (10th street) property lines to address street frontages will be required..
4. A five foot (5') wide utility easement may be required along Woodside Avenue if the existing storm drain is found to be crossing the property.

5. Prior to plat recordation, the property owner shall resolve the encroachment of the stone retaining walls over the front (east) property line into the City Right-of-Way (ROW) by either removing the retaining walls or entering into a recorded agreement with the City Engineer.
6. Prior to plat recordation, the property owner shall resolve the encroachment of the stone retaining walls, the railroad ties, and the slat wood fence over the side (north) property line into the City Right-of-Way (ROW) by either removing them or entering into a recorded agreement with the City Engineer.
7. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
8. New construction shall comply with Land Management Code Section 15-2.2 regarding setbacks, building height, building envelope, building footprint, etc. and historic district guidelines.
9. Planning Commission requires Staff provide an additional review of the existing home at 1003 Woodside Avenue of Section 15-11-10 (A) -3 and if necessary recommend HPB review due to the possibility that the existing home may possess local or regional history, architecture, engineering, or cultural associated with (A) An era of Historic importance to the community; or (B) Lives of Persons who were of historic importance to the community, or (C) Noteworthy methods of construction, materials, or craftsmanship used during the historic period.
10. The Planning Department will conduct a full analysis on the site and make a determination under the current Land Management Code before the recordation of the plat.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 13th day of April, 2017.

PARK CITY MUNICIPAL CORPORATION



ATTEST:

Michelle Kellogg
City Recorder

Jack Thomas
Jack Thomas, MAYOR

APPROVED AS TO FORM:

Mark Harrington
Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

Exhibit A – Proposed Plat (Attachment 1)



SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4838735, as prescribed by the laws of the State of Utah, and that by authority of the owner, this Subdivision Plat map of 1003 WOODSIDE AVENUE PLAT AMENDMENT has been reviewed under my direction, and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION

Lots 1 and 2, Block 9, Snyder's Addition to Park City, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Terence Schaeckler, the undersigned owner of the herein described tract of land, to be known hereafter as 1003 WOODSIDE AVENUE PLAT AMENDMENT, does hereby certify that he has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set his hand this ____ day of _____, 2017.

Terence Schaeckler

State of _____

County of _____

ACKNOWLEDGMENT

On this ____ day of _____, 2017, Terence Schaeckler personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Terence Schaeckler acknowledged to me that he is the owner of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public

A Notary Public commissioned in _____

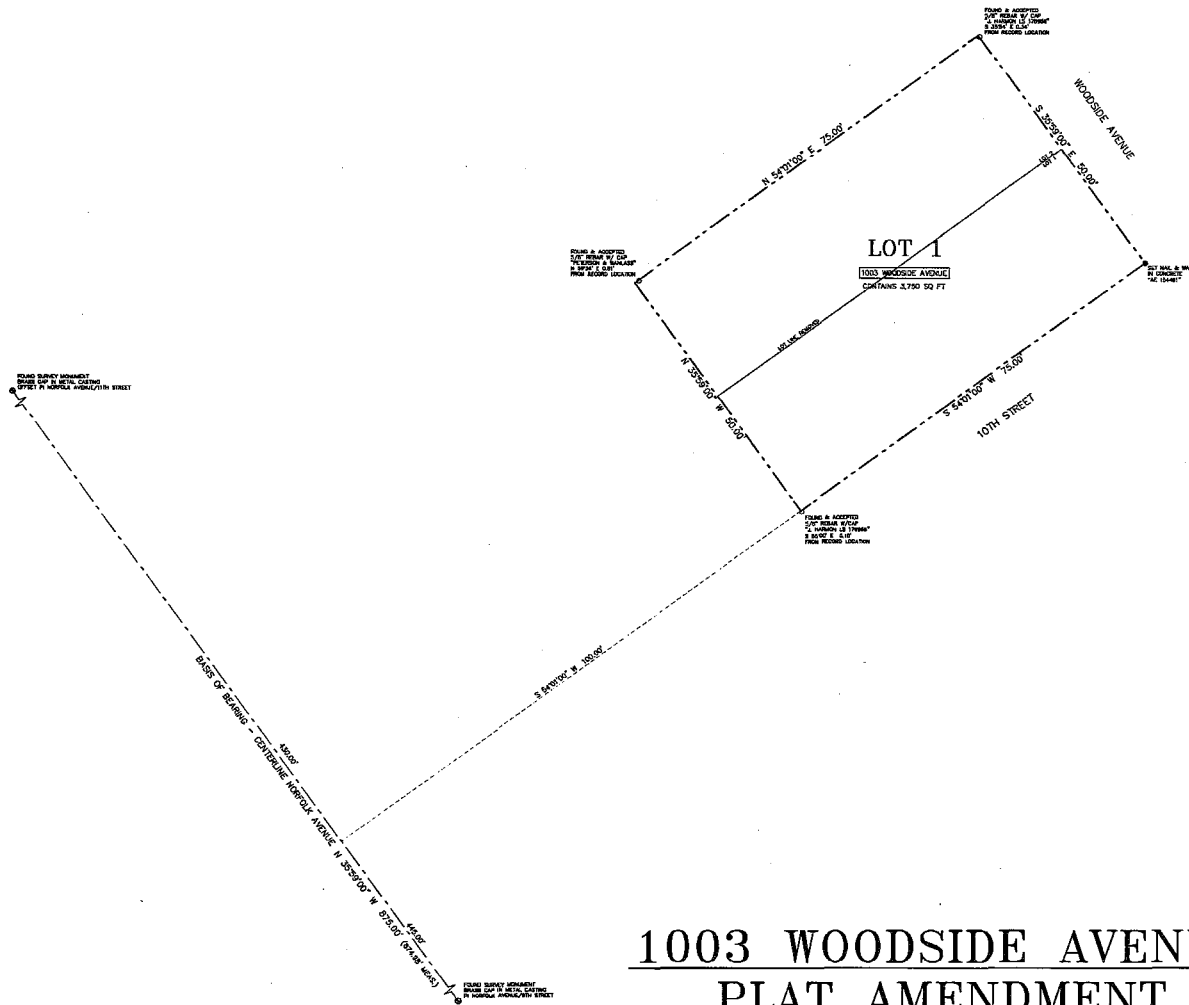
Printed Name _____

Residing in: _____

My commission expires: _____

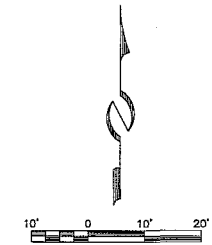
NOTE

1. This Plat Amendment is subject to the Conditions of Approval in Ordinance 2017-_____



1003 WOODSIDE AVENUE PLAT AMENDMENT

BLOCK 9, SNYDER'S ADDITION
LOCATED IN THE NORTH HALF OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



 (435) 648-8447 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street, P.O. Box 2084 Park City, Utah 84302-2084	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2017 BY S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2017 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS SUBDIVISION PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER
	snmrt JOB NO.: 1-12-16 FILE: X:\SnydersAddition\dwg\snr\plat2016\011216.dwg						

Exhibit B – Survey with Existing Conditions

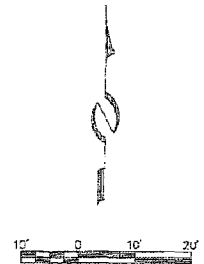
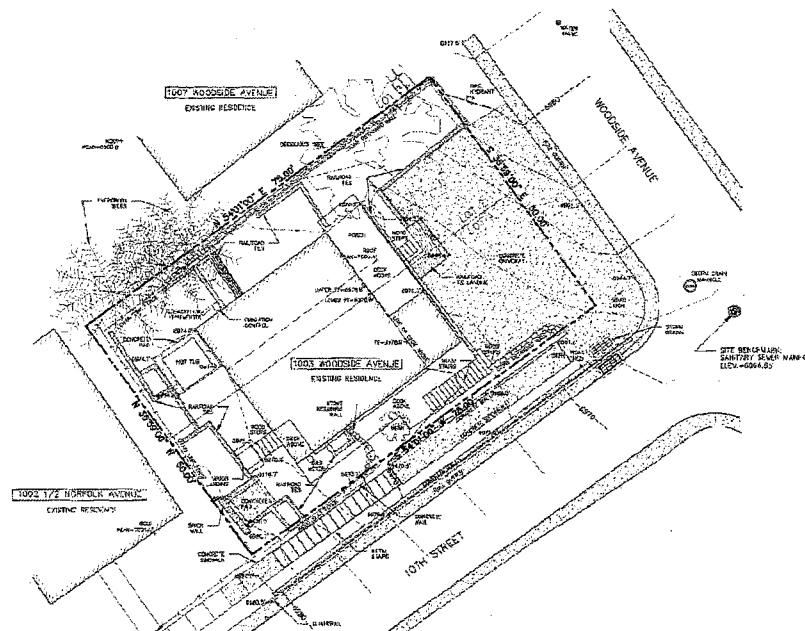


SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certification no. 4538739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the data work was completed and is in compliance with generally accepted industry standards for accuracy.

NOTES

1. Site Benchmark: Sanitary Sewer Markhole
Elevation=8264.05'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey completed on December 14, 2016.
4. Property corners were found.



<p>(435) 899-8487</p> <p>CONSULTING LAND SURVEYING AND PLANNING SERVICES</p> <p>222 10th Street, 2nd Floor, Salt Lake City, Utah 84143-2534</p>	<p>STAFF:</p> <p>MARSHALL KING</p> <p>MARTY MORRISON</p> <p>CYAN ESTE</p>	<p>EXISTING CONDITIONS & TOPOGRAPHIC MAP</p> <p>1003 WOODSIDE AVENUE</p> <p>SNYDER'S ADDITION, BLOCK 9</p>	<p>SHEET</p> <p>1</p> <p>OF</p> <p>1</p>
	<p>FOR: TERENCE SCHECKTER</p> <p>JOB NO.: 1-12-15</p> <p>DATE: 1/9/17</p> <p>FILES: K:\SingersAdd\Item\terg\w\10032015\C11216.dwg</p>		